

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

INTERNET PIPELINE, INC.	:	CIVIL ACTION
	:	
v.	:	
	:	
APLIFI, INC.	:	NO. 10-6089

ORDER

AND NOW, this 6th day of December, 2011, for the reasons set forth in the accompanying Memorandum, it is hereby ORDERED that:

(1) the motion of the plaintiff Internet Pipeline, Inc. to strike as out of time Aplifi, Inc.'s motion for a finding that this patent infringement action was an exceptional case under 35 U.S.C. § 285 and that the defendant Aplifi, Inc. as the prevailing party is therefore entitled to attorney fees (Doc. #49) is GRANTED; and

(2) the motion of defendant Aplifi, Inc. for a finding that this patent infringement action was an exceptional case under 35 U.S.C. § 285 and that it as the prevailing party is therefore entitled to attorney fees (Doc. #48) is DISMISSED.

BY THE COURT:

/s/ Harvey Bartle III
J.